

for a program guide and relies on Alexander to show this feature. However, the Office Action ignores other recited features of claims 1-5, 9-10, and 12-17 that are not shown by Sitnik.

For example, independent method claim 5, which is a method for targeting advertisements to a user of an interactive television program guide, recites, inter alia, "receiving advertisements for said interactive television program guide" and recites "comparing . . . to determine which advertisements should be displayed by said interactive television program guide." (emphasis added) The specification of Sitnik includes only a single mention of a program guide. Particularly, Sitnik states that "well-known applications that may be included in [a digital television receiver] are an electronic program guide ("ECG") and a closed-captioning module ("CC")." Sitnik, Column 7, lines 25-28. The rest of Sitnik shows techniques for selectively inserting one of two or more alternative images in a video sequence, such as a television program, for advertisement purposes. A single mention of an electronic program guide in Sitnik does not show the claimed features that are mentioned above.

The Office Action also ignores specific program guide related features that are recited in independent claims 1 and 12-15.

Even if Sitnik showed such features, Sitnik teaches away from the modification that is proposed by the Examiner. Sitnik mentions both advertisements and electronic program guides, but does not teach to combine the two. Sitnik explicitly teaches a system in which one of two or more alternative images are selectively inserted in a video sequence to present an advertisement to a viewer that, for example, is watching a television program. Sitnik explicitly teaches such an advertisement technique for video and not for program guides. Therefore, Sitnik teaches away from using the advertisement for program guides because Sitnik only teaches its advertisement techniques for use in a video sequence.

Moreover, modifying Sitnik with Alexander may provide an inoperable system because the modification would require electronic program guide advertisements to be selectively inserted in particular locations in a video sequence such as television program.

Accordingly, claims 1-5, 9-10, and 12-17 should be allowable over Sitnik and Alexander.

In the Office Action, claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sitnik and Alexander in view of Ivanyi and Herz. Claim 7 depends from claim 5 and is allowable because claim 5 is allowable.

Claims 8 and 11 were rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Sitnik

and Alexander in view of Herz. Claims 8 and 11 depend from claim 5 and are allowable because claim 5 is allowable.

Claims 18-21, 24, 27-30, and 33 were rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Sitnik in view of Alexander and Hite. As in the rejection of claims 1-5, 9-10, and 12-17, the Office Action ignores many of the features that are mentioned in claims 18-21, 24, 27-30, and 33.

This rejection again relies on Sitnik as the primary reference. In presenting the rejection, the Examiner concedes that Sitnik is silent on a main facility that has a database of advertisements, on assigning preselected values for demographic categories associated with advertisements, and on advertisements for an interactive television program guide. The Office Action relies on Alexander and Hite for these features. However, the Office Action ignores other features that are not shown by Sitnik. For example, independent claim 18 includes additional features that are not shown by Sitnik such as "to receive advertisements [for an interactive television program guide]," "[to] utilize user input to the interactive television program guide to determine user values," and "[to] determine which advertisements should be displayed in the interactive television program guide." (emphasis added) As mentioned, above, Sitnik includes only a single mention

of program guides and is, thus, deficient in showing the above-mentioned features.

As mentioned above in connection with the rejection of claims 1-5, 9-10, and 12-17, Sitnik teaches away from Alexander, and modifying Sitnik with Alexander as proposed by the Examiner may make the Sitnik system to be inoperable for its intended use.

Claims 27 is allowable for the same reasons as claims 18. Claims 19-21, 24, 27-30, and 33, which depend from claims 18 and 27, are allowable because claims 18 and 27 are allowable.

The Office Action also includes two more obviousness rejections that specify additional grounds for rejecting claims 6, 22, 23, 25, 26, 31, 32, 34, and 35. These claims are allowable because they depend from allowable independent claims discussed above.

Reconsideration and allowance of this patent application is respectfully requested.

Respectfully submitted,



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